

STATEMENT OF PURPOSE

RS19981C1

On January 30, 2009, a Federal Motor Carrier Safety Administration regulation became effective which establishes new requirements for drivers subject to CDL and medical certificate requirements. The rule also establishes requirements to be implemented by States that issue CDLs to such drivers. These requirements will ensure that accurate and up-to-date information about the CDL holder's medical examiner's certificate will be contained in the electronic CDLIS (Commercial Driver's License Information System) driver record that is maintained by States in compliance with the CDL regulations. Finally, the rule requires States to take certain actions against CDL holders if they do not provide the required and up-to-date medical certification status information in a timely manner. States must implement the requirements by January 30, 2012. By January 30, 2014, all CDL holders must comply with the requirement to submit to the state driver licensing agency their self-certification on whether they are subject to the physical qualification rules.

FISCAL NOTE

If this proposal passes, DMV systems programming is required to implement the changes. Cost to program the requirements into both the old DMV system and the new DMV system will be approximately \$150,000 for which federal grants are available. Postage will be approximately \$39,000 the first year and approximately \$15,000 for postage each year thereafter.

If this legislation does not pass and is not implemented, based on § 384.401, noncompliance will result in the withholding of funds from both Federal-aid highway funds and the Motor Carrier Safety Assistance Program (MCSAP).

Following the first full federal fiscal year of noncompliance, Idaho would be subject to a sanction equal to five percent of the Federal-aid highway funds required to be apportioned to any State under sections 104(b)(1), (b)(3), and (b)(4) of title 23, U.S.C., (Interstate Maintenance, National Highway System and Surface Transportation Program). Following the second full fiscal year of noncompliance and every subsequent year of noncompliance, Idaho would be subject to a sanction of ten percent of Federal-aid highway funds.

Federal Highway funds withholding would begin October 1, 2013, at a rate of \$750,000 per month, increasing to a rate of \$1.5 million dollars per month beginning October 1, 2014. This is based on a federal-aid highway funding estimate of \$180 million in FY2014 (\$53.4 million IM; \$71.2 million NHS and \$55.8 million STP). The amount highway funding withheld the first federal fiscal year beginning October 1, 2013 year would be \$9 million and beginning October 1, 2014, the amount withheld per federal fiscal year would be \$18 million.

The Motor Carrier Safety Assistance Program (MCSAP) grant funds authorized under section 103(b)(1) of the Motor Carrier Safety Improvement Act of 1999 (Public Law 106–159, 113 Stat. 1754), will be withheld from a state on the first day of the fiscal year following the first year of substantial noncompliance as determined by FMCSA. Per Public Law 106–159, 113 Stat. 1753, if the state has not returned to substantial compliance, additional funding will be withheld. The MCSAP grant fund withholding will mainly impact the Idaho State Police (ISP) MCSAP program.



Contact:

Name: Ed Pemble
Office: Transportation Department
Phone: (208) 332-7830